

JFW




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June 29, 2004

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:	
June 29, 2004	
Date	Robert E. Hanson

## MS AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

RE: *U.S. Patent Application No. 10/730,763 entitled "PLANTS AND SEEDS OF CORN VARIETY LH249" – Lance Veldboom*  
*Our reference: HFSC:018US*  
*Client reference: 34-52 (51649)*

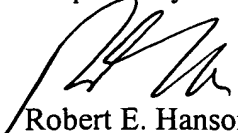
Sir:

Enclosed for filing in the above-referenced patent application is a Supplemental Information Disclosure Statement, Form PTO-1449, and reference C30.

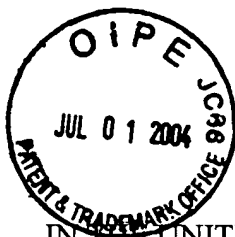
No fees are believed to be due in connection with the filing of this Supplemental Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to the enclosed materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/HFSC:018US.

Please date stamp and return the enclosed postcard evidencing receipt of these materials.

Respectfully submitted,

  
Robert E. Hanson  
Reg. No. 42,628

REH/kmv  
Encl.: as noted



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Lance Veldboom

Serial No.: 10/730,763

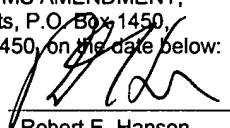
Filed: December 8, 2003

For: PLANTS AND SEEDS OF CORN  
VARIETY LH249

Group Art Unit: 1638

Examiner: Unknown

Atty. Dkt. No.: HFSC:018US

<b>CERTIFICATE OF MAILING</b> 37 C.F.R. 1.8	
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June 29, 2004	
Date	Robert E. Hanson

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

**MS AMENDMENT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R §§ 1.97(g), (h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be

construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

LH249 was developed from an initial cross of LH236 x LH242 followed by selfing and use of the pedigree system of plant breeding. Yield, stalk quality, root quality, disease tolerance, late plant greenness, late plant intactness, ear retention, pollen shedding ability, silking ability and corn borer tolerance were the criteria used to determine the rows from which ears were selected.

LH236 and LH242 are both proprietary field corn inbred lines of Holden's Foundation Seeds, LLC. PVPA certificate 9700003 was issued for LH236 on May 29, 1998. U.S. Patent No. 5,731,504, issued March 4, 1998, also protects LH236. PVPA certificate 9700076 was issued for LH242 on May 29, 1998. U.S. Patent No. 5,750,850, May 12, 1998, also protects LH242.

The present Supplemental Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Supplemental Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/HFSC:018US.

Applicant respectfully requests that the listed documents be made of record in the present case.

Respectfully submitted,



Robert E. Hanson  
Reg. No. 42,628  
Attorney for Applicant

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Date: June 29, 2004

Form PTO-1449 (modified)

Atty. Docket No.

HFSC:018US

Serial No.

10/730,763

List of Patents and Publications for Applicant's

Applicant

Lance Veldboom

INFORMATION DISCLOSURE STATEMENT

Filing Date:

December 8, 2003

Group:

1638

(Use several sheets if necessary)

U.S. Patent Documents

See Page 1

Foreign Patent Documents

See Page 2

Other Art

See Page 2

**U.S. Patent Documents**

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.

**Foreign Patent Documents**

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No

**Other Art (Including Author, Title, Date Pertinent Pages, Etc.)**

Exam. Init.	Ref. Des.	Citation
	C30	Plant Variety Protection Certificate No. 9700076 for Inbred Corn Line LH242, issued May 29, 1998.

25428228.1

**EXAMINER:****DATE CONSIDERED:**

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

*INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)*